Remarks

Applicants thank the Examiner for his report. Claims 1-24 are currently pending. Reconsideration is respectfully submitted in view of the preceding amendment and the following remarks.

Claims Rejections: 35 U.S.C. § 103

5   Claims 1-24 were rejected under section 103 of 35 U.S.C. for being allegedly anticipated by Desrochers et al. in view of Stahl (US Patent Application Publication 2002/0161793) in the first Office action. The same rejection is maintained in the present final Office action since the Examiner found the Applicants' arguments not to be persuasive.

In view of the following remarks, Applicants respectfully traverse the rejection.

10   Claim 1 has been amended to incorporate new limitations and now relates to a method of performing program-on-demand from a Session Initiation Protocol (SIP) terminal, the method comprising the steps of:

a) receiving a program request by the service provider from the SIP terminal, the program request comprising a program list including one program identification for each of a plurality of selected

15 streaming programs offered to the SIP terminal;

b) responsive to step a), determining, by the service provider, a content provider storing a first program (P1) from the plurality of selected streaming programs included in the program list, wherein step b) is performed using a table associating program identifications with content providers; and

c) establishing, by the service provider, a first SIP session between the SIP terminal and

20 the content provider storing the first program P1 for streaming the first program P1 over the first SIP session from the content provider storing the first program P1 to the SIP terminal.

As can be appreciated, independent claim 1 is now clearly limited to **streaming** programs. Furthermore, it is now clearly mentioned that the program list includes a **program identification** for each of the selected streaming program (supported, for instance, by §0047, ~line 16 of page 6 of the published

25 application) offered to the SIP terminal (supported, for instance, by §0038, ~line 26 of the paragraph). Step b) is now also performed using **a table associating program identifications with content providers** (supported, for instance, by Figure 7 and corresponding paragraphs of the description).

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As mentioned in the first response, Desrochers et al. teaches a SIP mechanism for establishing a SIP-based wake-up call between a SIP client and a SIP media player. In Desrochers at al., PARLAY
30 signaling is used between application logic and a PARLAY/SIP Proxy Server, while SIP signaling is used between the former and the SIP client and the media player. The application logic invites both the SIP client and the media player into a SIP session. During the session, which consists in the wake-up call, an RTP stream of data is sent from the media player to the client, thus "waking-up" the user of the SIP client.

The teaching of Desrochers at al. is thus limited to sending from an application a SIP request for
35 one given service, i.e. the wake-up call, in order to establish a SIP session for transferring information from one single server, i.e. the media player, toward the SIP client. Therefore, as the Examiner also substantiates at page 4 of the first Office action, Desrochers et al. fails to disclose issuance of a program request comprising a program list with a plurality of selected programs, and determining in a service provider the content provider that stores the first program from the plurality of selected programs.

40 Stahl teaches a new reference tag used as an extension to the HTTP language for referencing an item, such as a picture or photography, which is exchanged using an HTTP request. The presence of the HTTP reference tag in the HTTP request allows for the sole download of the item associated with the reference tag, rather than for the download of a complete HTTP page containing the item. Therefore, Stahl's teaching is limited to the selective retrieval of pictures or photography embedded in HTTP web
45 pages, based, for example, on the time and date of an update of such items. Particularly with reference to Fig. 6 and associated Description at par. 66-67, Stahl teaches an application program 110 that comprises a local list 64 with identities of a number of documents accessible by at least two contents servers 112. The application program consults the local list 64, and transmits individual requests for information 67a and 67b for obtaining information from the servers 112a and 112b. In Stahl, the list of information available from the
50 servers is stored locally at the initiator of the requests, i.e. in the application program 110.

In the Final Office Action, the Examiner argued that Stahl encompassed the "transmission of a list containing a variety of requested programs on page 3 paragraph 32". Even though Applicants do not agree with the Examiner's interpretation of Stahl, the amendments done to claim 1, still, overcome the rejection by further adding that the program list comprises one program identification for each of the selected streaming
55 program. Likewise, the Examiner found similarities between the intermediate node of Stahl and the service provider of the present invention. However, there is no mention of streaming program in Stahl and the

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determination of a content provider for each streaming program is not performed using a table in which program identifications are associated with content providers.

Therefore, Applicant respectfully submits that claim 1 is novel and nonobvious, and thus patentable
60   over the teaching of Desrochers at al. in view of Stahl.

Claims 2-10 are dependent of claim 1, and since they merely add further limitations and clarifications thereto, they are believed to be patentable as well.

Claim 11 is an independent claim having limitations similar to those of amended claim 1, and is therefore submitted as being patentable for the same reasons.

65   Claims 12-21 are dependent of claim 11, and since they merely add further limitations and clarifications thereto, they are believed to be patentable as well.
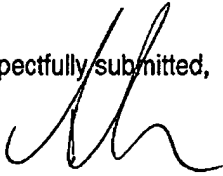
Finally, claim 22 is another independent claim with limitations similar to those of amended claim 1, and is therefore submitted as being patentable too. Since claims 23-24 are dependent upon claim 22 and only add further limitations and clarifications thereto, they are submitted as being patentable as well.

70   Conclusion

All pending claims 1-24 are herein submitted as being in favorable condition for allowance.

In the Examiner finds out that a prosecution of the present invention would be facilitated by telephone interview, the Examiner is invited to contact the undersigned, Alex Nicolaescu, at telephone
75   number (514) 345– 7900 extension number 2596.

Respectfully submitted,

September 15, 2004

Alex Nicolaescu
USPTO Reg. Number 47,253

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